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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------------------|-------------|----------------------|---------------------|------------------|
| 10/697,986 | 10/31/2003 | Gary L. Vondran JR. | 200311220-1 | 8972 |
| 22879 | 7590 | 10/02/2008 | | |
| HEWLETT PACKARD COMPANY | | | EXAMINER | |
| P O BOX 272400, 3404 E. HARMONY ROAD | | | BRINICH, STEPHEN M | |
| INTELLECTUAL PROPERTY ADMINISTRATION | | | | |
| FORT COLLINS, CO 80527-2400 | | | ART UNIT | PAPER NUMBER |
| | | | 2625 | |
| | | | | |
| | | | NOTIFICATION DATE | DELIVERY MODE |
| | | | 10/02/2008 | ELECTRONIC |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM
mkraft@hp.com
ipa.mail@hp.com

| | | |
|------------------------------|--------------------|-----------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/697,986 | VONDTRAN ET AL. |
| | Examiner | Art Unit |
| | STEPHEN M. BRINICH | 2625 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on ____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-8,10-19,21-33,49,50 and 59-61 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) Claim(s) 1-8,10-19,21-33 and 59-61 is/are allowed.
- 6) Claim(s) 49 and 50 is/are rejected.
- 7) Claim(s) ____ is/are objected to.
- 8) Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on ____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. ____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date ____
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. ____.
- 5) Notice of Informal Patent Application
- 6) Other: ____.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10697986 | 10/31/03 | VONDRAK ET AL. | 200311220-1 |

EXAMINER

STEPHEN M. BRINICH

ART UNIT PAPER

2625 20080926

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

/S. M. B./
Examiner, Art Unit 2625

DETAILED ACTION

Response to Arguments

1. Applicant's arguments in the Response filed 5/23/08 (page 10, lines 6-22) with respect to claims 1-33 have been fully considered and are persuasive. The rejection of claims 1-6, 8, 11-17, 19, 22-28, 30, & 33 under 35 USC §102 and the objection to claims 7, 10, 18, 21, 29, & 32 have been withdrawn. The objection to claims 9, 20, & 31 has been obviated by their cancellation.
2. Applicant's arguments filed 5/23/08 do not address the previously outstanding rejection of claims 49-50, which is reiterated below.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 49-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Kumar et al (US 7130073).

Re claim 49, Kumar et al discloses (column 1, lines 39-62) a print job processing method and means in which a selected pattern object is identified within a print job and the number of times that pattern object is used is counted (such a "counting" inherently constitutes the incrementing of the count upon each occurrence).

Re claim 50, Kumar et al discloses (column 1, lines 51-55, the generation of a pattern object identifier associated with the pattern object (readable on the recited "signature") and the comparing of this identifier to detect matches.

Allowable Subject Matter

5. Claims 1-8, 10-19, 21-30, 32-33, & 59-61 are allowed.
6. The following is a statement of reasons for the indication of allowable subject matter:

As noted above, Applicant's arguments (5/23/08 Response: page 10, lines 6-13) with respect to claims 1-8, 10-19, 21-33 have been fully considered and are persuasive. Re new claims 59-61, as noted by Applicant (5/23/08 Response: page 10, lines 14-22), these claims include subject matter previously indicated to be allowable.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will

expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application, entry of papers into this application, or other any inquiries of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 571-272-1000.

The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300.

Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

/S. M. B./

Examiner, Art Unit 2625

/Thomas D Lee/

Primary Examiner, Art Unit 2625